

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

|                                 |   |                                   |
|---------------------------------|---|-----------------------------------|
| <b>VSEVOLOD GARANIN, et al.</b> | : | <b>Civil No. 3:19-CV-1275</b>     |
|                                 | : |                                   |
| <b>Plaintiffs,</b>              | : |                                   |
|                                 | : |                                   |
| <b>v.</b>                       | : | <b>(Magistrate Judge Carlson)</b> |
|                                 | : |                                   |
|                                 | : |                                   |
| <b>CITY OF SCRANTON, et al.</b> | : |                                   |
|                                 | : |                                   |
| <b>Defendants.</b>              | : |                                   |

**ORDER**

AND NOW, this 22d day of December 2022, for the reasons outlined in the accompanying Memorandum Opinion, IT IS HEREBY ORDERED THAT the defendants' motion for summary judgment (Doc. 91) is GRANTED IN PART and DENIED IN PART as follows:

1. The motion is GRANTED with respect to the procedural due process claim based on the emergency condemnations of the William Street and Philo Street properties, as well as the denial of the work permit for the School Street property in Count I; the substantive due process claim (Count II); the Equal Protection claim (Count III); the First Amendment Claim (Count IV); the malicious prosecution claim (Count VII); and the tortious interference claim as it relates to the condemnations of the William Street and Philo Street properties in Count VIII.

2. The motion is DENIED with respect to the procedural due process claim involving the closures of the Willow Street and Philo Street properties under the rental registration ordinance in Count I; the Monell claim against the City (Count VI); and the tortious interference claim as to the closures of the Willow Street and Philo Street properties pursuant to the rental registration ordinance in Count VIII.
3. Summary judgment is GRANTED in favor of the municipal defendant on Garanin's punitive damages claim but DENIED with respect to the individual defendants.
4. The parties shall consult, confer and provide the court with a proposed updated case management plan setting a pretrial schedule in this case on or before **January 20, 2022**. In this case management plan the parties shall indicate whether they wish to pursue mediation of their remaining legal claims.

S/ Martin C. Carlson

Martin C. Carlson

United States Magistrate Judge